

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CALDER SEACARRIER CORP.,

Plaintiff,

-against-

07 Civ. 6520 (LAK)

VIKING MARINE, S.A., et ano.,

Defendants.
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ORDER

LEWIS A. KAPLAN, *District Judge*.

The motion of defendant Sinoriches Global, Ltd., to dismiss the complaint for failure to state a cause of action or, in the alternative, granting summary judgment dismissing the complaint for lack of standing (DI 37) is denied. To the extent the motion seeks dismissal for legal insufficiency, it is without merit. To the extent it seeks summary judgment, there is no need to consider the merits because the movant has failed to comply with Fed. R. Civ. P. 56 or with S.D.N.Y. Civ. R. 56.1.

SO ORDERED.

Dated: January 16, 2008



Lewis A. Kaplan
United States District Judge

